

## REMARKS

Claims 12 and 14 stand rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter, referring to recitation of a computer program. The applicant believes that the intention of the Examiner was to reject claims 12 and 13, since claim 14 is not directed to a computer program. In any event, claim 14 has been cancelled. With respect to the rejections of claims 12 and 13, those claims have been redirected to a data carrier on which a computer program is stored for execution on one of a microcomputer and microprocessor. Claim 14 inherits this recitation through the dependency on claim 13. Therefore, the applicant respectfully submits that these amendments satisfy the requirements of 35 USC 101. Review and acceptance is requested.

Claims 15, 17 and 20 stand rejected under 35 USC 112 first paragraph as failing to comply with the enabling requirement. In response thereto, claims 15, 17 and 20 have been cancelled.

Claims 1, 2 and 12 - 19 stand rejected under 35 USC 102(b) as being anticipated by Temple. The Examiner has however indicated that claims 3 through 11 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The applicant respectfully disagrees with the rejections of independent claims 1, 16 and 18 for the following reasons.

Temple does not disclose a bus guardian having a priori knowledge concerning possible deviations from the communication media access schedule during start up of the communication, as recited in the independent claims. Moreover, Temple fails to disclose a priori knowledge

being used to distinguish between an allowed deviation and a forbidden deviation, as also recited in those claims.

Temple discloses a "bus guardian" which is supplied with a priori knowledge concerning a temporal access pattern (see paragraph 1, penultimate section). As disclosed in paragraph 3.2 lines 8-12, the information concerns the temporal access pattern of the node that is supervised by the bus guardian. The bus guardian uses this information to grant or deny the node access to the bus (see paragraph 3.2 lines 23-25). In fact, the bus guardian can only detect a disagreement between the stored temporal access pattern and the actual behavior of the node and, in case of disagreement, the bus guardian and the node are reset (see paragraph 3.2 line 44)

Thus the a priori knowledge of Temple is not knowledge about possible deviations, merely knowledge about the temporal transmission pattern that is to be followed. Accordingly, Temple does not disclose that a bus guardian is provided with a priori knowledge about possible deviations from the communication media access schedule during start up of the communication, as recited in the independent claims. This fact provides clear evidence that Temple fails to anticipate those claims.

In fact, Temple states that a priori knowledge of the temporal access pattern is the only information required by the bus guardian (see paragraph 3.1, lines 6-8). Thus, Temple actually teaches away from use of further information, and therefore teaches away from the features of the independent claims.

Furthermore, the bus guardian can only detect a disagreement between the a priori knowledge and the actual behavior of the node and cannot distinguish between differing degrees of deviations. Thus, Temple does not disclose a priori knowledge being used to distinguish between an

allowed deviation and a forbidden deviation, as recited in the independent claims. For this reason as well, the independent claims are not anticipated by Temple.

The applicant therefore respectfully submits that the independent claims of record are distinguished from the Temple reference. The dependent claims of record inherent the limitations of the respective independent claim and are therefore similarly distinguished from the Temple reference for the reasons given. The applicant therefore respectfully requests favorable review and passage to issuance.

No new matter has been added in this amendment.

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Respectfully submitted,

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Date

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